

Indiana Housing and Community Development Authority

RHTC Owner Certification Checklist

Year of Owner Certification _____

Property Name _____

Building Identification Number(s) (BIN): _____

(Please list additional BINs on a separate piece of paper and attach)

____ **1. Completed Certification of Compliance – signed by an authorized signatory and notarized**

____ **2. Completed Development and Building Information Form**

____ **3. Completed Consolidated Annual Beneficiary Report**

- ☐ Submitted through IHCD Compliance Reporting Website (\$22.00 per TC unit, \$180.00 minimum; \$6,000 maximum)
- ☐ Submitted on paper and attached to Owner Certification of Compliance (\$27.00 per TC unit, \$230.00 minimum; \$7,000 maximum)

____ **4. Completed Utilities Information Form**

____ **5. Supporting Documentation for Utility Allowance**

____ **6. Annual Monitoring Fee (if applicable) (Please enclose a copy of check)**

(First Year Reporting Only)

If this is the initial year of certification, the following information must also be submitted to IHCD:

____ **7. A Copy of Completed and Signed IRS Form 8609 for each Building**
(Part II 7a – 10d of Form 8609)

____ **8. Property Directional Form**

____ **9. Authorized Signatory Form**

Indiana Housing and Community Development Authority

2008 RHTC Annual Owner Certification of Compliance

The undersigned, having been allocated:

Rental Housing Tax Credits pursuant to Section 42 of the Internal Revenue Code of 1986, as amended (the "Code") and having executed a "Declaration of Extended Rental Housing Commitment" pursuant to the allocation with the Indiana Housing and Community Development Authority, the housing credit agency for the State of Indiana (the "Authority"); and/or

For the purpose of purchasing, constructing, and/or improving a certain low-income rental housing development (the "Development"), and pursuant to the monitoring requirements of the Code and all regulations promulgated thereunder, as applicable, and of the Authority and the requirements of the Act and all regulations promulgated thereunder, as applicable, does hereby certify as follows:

- (i) The Development consist of the following:

Rental Housing Tax Credits Only

Building Identification Number (BIN)	Name of Development	Placed in Service Date	First Year Credits were Claimed

- (ii) The Development:

Total Units in Development:	
Total Low-Income Units:	
Total Vacant Units as of December 31 st	

Meets the Minimum Set Aside requirements of the (mark appropriate box): ☐ 20/50 test; ☐ 40/60 test; or ☐ 15/40 test under Section 42 of the Code. This election should be the same as that which is elected by the owner set forth on IRS Form 8609.

☐ There was no change in the applicable fraction as defined in the Code of any building in the Development; or ☐ there was a change, in the applicable fraction and a description of that change is attached to this certification.

- (iii) The undersigned has received an annual income certification form from each tenant occupying an RHTC unit in the Development and sufficient documentation to support that certification; and/or
- (iv) Each RHTC unit in the Development was restricted as provided under the Code and/or Act.
- (v) The Development is in continuing compliance with all promises, covenants, set-asides and agreed upon restrictions as set forth in the application for Credits for the Development.

- (vi) All units in the Development are for use by the general public and are used on a non-transient basis (except for units located in a building whose primary purpose is transitional housing for homeless as allowed for in the Code is applicable).

Also, the owner has not refused to lease a unit in the development to a Section 8 applicant because the applicant holds a Section 8 voucher or certificate.

Additionally, please mark the appropriate certification:

☐ No finding of discrimination under the Fair Housing Act, 42 U.S.C. 3501-3619, has occurred for this development. A finding of discrimination includes an adverse final decision by the Secretary of Housing and Urban Development (HUD), 24 CFR 180.680, and adverse final decision by a substantially equivalent state of local Fair Housing agency, 42 U.S.C. 3616a(a)(1), or an adverse judgment from a Federal court.

☐ A finding of discrimination under the Fair Housing Act, 42 U.S.C. 3601-3619, has occurred & the owner has **attached documentation of the findings to this certification.**

- (vii) Please mark the appropriate certification(s):

☐ All units in the Development are suitable for occupancy, taking into account all federal, state, and local health, safety, and building (or other habitability standards), and the state or local unit responsible for making building code inspections did not issue a report of a violation for any building or low-income unit in the Development.

☐ The state or local unit responsible for making building code inspections issued a report of a violation for any building or low-income unit in the Development during the certification year. **Documentation of the violations is attached to this certification.**

- (viii) Please mark the appropriate certification:

☐ The Development includes less than five (5) RHTC eligible rental units under common ownership or developed by a single entity; therefore, IHCD's Affirmative Marketing Procedures are not applicable.

☐ The Development includes five (5) or more RHTC eligible rental units under common ownership or developed by a single entity; subsequently, the owner utilized the following affirmative marketing practices in soliciting renters, determining their eligibility, and concluding all transactions:

- (1) Advertising of vacant units includes the Equal Housing Opportunity logo or slogan or both. (Advertising media may include, but is not limited to, newspapers, radio, television, brochures, leaflets, or an on-site sign);
- (2) Applications for vacant units are solicited from persons in the housing market who are least likely to apply for the RHTC without the benefit of special outreach efforts. (In general, persons who are not of the race/ethnicity of the residents of the neighborhood in which the RHTC unit is located shall be considered those least likely to apply);
- (3) The local housing market has been analyzed to identify those persons who are least likely to apply and then specific marketing techniques have been formulated to reach the persons identified. (Resources for this targeted outreach may include, but are not limited to, community organizations,

places of worship, employment centers, fair housing groups, housing counseling agencies, and social service centers);

- (4) The housing market has been re-assessed at least annually to determine persons who are least likely to apply for housing;
- (5) Each year, the marketing techniques utilized in the previous year have been analyzed to determine effectiveness in reaching those persons identified. Based on the annual analysis, marketing efforts have been modified to increase participation from those persons identified as being least likely to apply for housing.
- (6) A file documenting all marketing efforts (i.e., copies of newspaper ads, memos of phone calls, copies of letters, etc.) is being maintained throughout the Development's affordability period, compliance period, and/or extended use period and is available for inspection by IHCDA, HUD, and/or the Internal Revenue Service (IRS).
- (7) A listing is being maintained of all residents of RHTC units from the time of application submittal through the end of the affordability period, compliance period, and/or extended use period. This list includes but is not limited to each resident's age, race, sex, and income and is available for inspection by IHCDA, HUD or the IRS.

(ix) Please mark the appropriate certification(s) regarding eligible basis:

- ☐ There has been no change in the eligible basis of any building in the Development (as defined by the Code);
- ☐ There has been a change in the eligible basis of the building in the Development (as defined by the Code). **Documentation setting forth the nature and amount of such a change (i.e. a common area has become commercial space, or a fee is now charged for a tenant facility formerly provided without charge) is attached to this certification.**
- ☐ All tenant facilities included in the eligible basis of the Development under the Code, such as swimming pools, recreational facilities, and parking areas, are provided on a comparable basis without charge to all tenants of the Development.

(x) Please mark the appropriate certification:

- ☐ No RHTC units in the Development became vacant during the applicable reporting period.
- ☐ One or more RHTC units in the Development became vacant during the applicable reporting period. Reasonable efforts were or are being made to rent such units or the next available unit or units of comparable size in the building to tenants having qualifying income.

(xi) Please mark the appropriate certification:

- ☐ No tenant of any RHTC unit experienced an increase in income above the limit allowed in Section 42(g)(2)(D)(ii).

☐ Income of tenants of an RHTC unit in the Development increased above the limit allowed in Section 42(g)(2)(D)(ii) of the Code, and the next available unit of comparable or smaller size in the Development was or will be rented to tenants having a qualifying income.

- (xii) The Development has at least on (1) smoke detector on each level of the rental dwelling unit.
- (xiii) The lease between the tenant and the owner of the RHTC rental housing is not for less than six months, unless the building's primary use is transitional housing or the unit is single room occupancy.
- (xiv) The Development is otherwise in compliance with the Code and/or the Act, including any IRS and/or HUD Regulations pursuant thereto, and applicable laws, rules, regulations, and ordinances.
- (xv) The Development is in continuing compliance with the Declaration of Extended Rental Housing Commitment applicable to the Development and filed in the office of the Recorder of the applicable County in the State of Indiana; and
- (xvi) There have been no changes in the ownership entity or if there have been, IHCD has been provided with all details and all necessary documentation.

The remainder of this page was left blank intentionally.

Each person signing on behalf of the undersigned entity certifies that (a) he/she, personally, is fully empowered and duly authorized by any and all necessary action or consent required under any applicable articles of incorporation, bylaws, partnership agreement, articles of organization, operating agreement or other agreement applicable to the owner to execute and deliver this certification for and on behalf of the undersigned; (b) the undersigned entity has full capacity, power and authority to enter into and execute this certification for and on behalf of the owner; (c) this certification has been duly authorized, executed and delivered; (d) this certification and any attachments, including the Development Compliance Tenant Report (may be submitted through IHCD's automated compliance reporting system) are true, accurate, complete, and made under penalty of perjury.

The undersigned has executed this certification this _____ day or _____, 200____.

(Printed/typed name Chief Executive Officer)

By: _____
(Signature of Chief Executive Officer)

Title: _____
(Title of the Chief Executive Officer within the Ownership entity)

Attest:

STATE OF INDIANA)
)SS:
COUNTY OF _____)

Before me, a Notary Public in a for said County and State, appeared _____ the _____ of _____, and who being duly sworn acknowledged the execution of the foregoing Certification of Compliance as his/her free and voluntary act and deed.

Witness my hand and Notarial Seal the _____ day of _____ 200____.

My Commission expires

My County of Residence

Notary Public

Printed Name

Indiana Housing and Community Development Authority

Rental Housing Development and Building Information RHTC

Year of Owner Certification 2008

Development Information:

Building Identification Number(s) _____

*List additional BINs on a separate piece of paper and attach

Development Name: _____

Development Address: _____

Development City/State/Zip: _____

Development Telephone Number: _____

Development County: _____

Development Contact Name: _____

Development Contact E-mail: _____

Has any Building or Address information changed since last submission, ☐ Yes, ☐ No, If yes please attach a description of changes.

Owner Information:

Development Ownership Entity: _____

Ownership Tax ID Number (TIN): _____ (must coorespond with TIN on IRS Form 8609)

Contact Person: _____
(must be owner, partner, or member of the partnership)

Owner Address: _____

Owner City/State/Zip: _____

Owner Telephone Number: _____

Owner Fax Number: _____

Owner e-mail: _____

Management Information:

Management Company: _____

Management Contact Person: _____

Management Address: _____

Management City/State/Zip: _____

Management Telephone Number: _____

Management Fax Number: _____

Management e-mail: _____

Indiana Housing and Community Development Authority

Multi-Family Housing Utilities Form

Development Name: _____

Building Identification Number(s) (BIN): _____

1. Utilities

	Gas	Electric	Oil	L.P.	Other	Owner Paid	Tenant Paid
Unit Heat							
Water Heating							
Cooking							
Unit Electric							
Water Service							
Sewer							
Trash Removal							

*Please mark the appropriate boxes

1. Utility Allowance Documentation

The maximum allowable rent calculations include costs to be paid by the tenant for utilities including: heat, lights, water, sewer, oil, gas, or trash removal where applicable. Utilities do not include telephone or cable television.

Utility allowances should be calculated as follows:

1. RHCDS (FmHA) regulated buildings must use RHCDS approved utility allowances.
2. HUD regulated buildings must use HUD approved utility allowances.
3. HUD and RHCD buildings must use RHCD approved utility allowances.
4. Units with Section 8 subsidy through certificates or vouchers must use the Public Housing Authority) PHA Section 8 existing utility allowances for those tenants. Non-Section 8 units must follow number 5 below.
5. All other buildings must use the PHA local utility allowances or local utility company data if it is requested. If local utility company data is obtained, the Owner must use the information, provided it is not an RHCD (FmHA) or HUD regulated building.

Utility allowances need to be updated when area median incomes are revised since they are included in the maximum allowable rent calculations. Any changes in the utility allowance impacts the net chargeable rent to the tenant.

When a new utility allowance is used, rents must be recalculated within ninety (90) days of the effective date.

NOTE: This form must be submitted every year with the Owner Certification of Compliance. If information on this form changes during the compliance period of the project, then the owner must submit a revised form. However, documentation supporting the utility allowance used to calculate rent must be submitted every year with the Owner Certification of Compliance to IHCD.

Property Directional Form

Please complete one directional form for each property.

Building Identification Number (BIN): _____

Name of Property: _____ Contact Person at Property: _____

Address of Property: _____

City: _____ County: _____ Phone Number of Property: _____

Please provide written directions from Indianapolis to the above property:

Please provide a simple map to the property according to the directions given above: * The use of map quest or Yahoo maps is acceptable. You must ensure the directions are correct.

Any additional directional information can be placed on the back of this form. Thank you for your cooperation.

Indiana Housing and Community Development Authority

Authorized Signatory Form

Only owners, partners, or members of the partnership of Low Income Housing Tax Credit (LIHTC) projects may sign documentation submitted to IHCDA regarding specific LIHTC projects. This documentation may include final application, IRS form 8609, owner re-certifications, etc.

Below is (are) the authorized signatory (signatories) for the Rental Housing Tax Credit development located at _____ in _____, Indiana.

Building Identification Number (BIN) _____

	Name, Title	Signature
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

If more lines are needed, please attach a separate sheet with the name, title, and signature of the owner, partner, or member.

This form is for IHCDA use only and will be used to verify signatures on documentation submitted to IHCDA.

*Note: If someone other than the owner, partner, or member will be signing the above mentioned documentation, then documentation verifying Power of Attorney or Authorization of Representation must be submitted with this form (See Appendix G of RHTC Compliance Manual).